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E.O. 12958: DECL: 05/22/2017
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SUBJECT: SYG ASKS USG TO HOLD OFF ON SUDAN SANCTIONS

Classified By: AMBASSADOR ZALMAY KHALILZAD FOR REASONS 1.4 (B,D)

¶1. (C) This cable contains a recommendation; please see paragraph 6.

¶2. (C) In a May 23 meeting, United Nations Secretary-General (SYG) Ban Ki-moon gave Ambassador Khalilzad the "good news" that he and African Union (AU) Commission Chairperson Konare had agreed earlier in the day on the draft UN-AU report for the hybrid operation in Darfur. Konare agreed to UN language on unity of command and control, as specified in paragraphs 63 and 127 of the report, previously the "core of the controversy" between the UN and the AU. Ban presented a copy of the report to Ambassador Khalilzad and asked if he, as UN Security Council President, would circulate the report to other Members of the Council. Ban hoped the Council would be able to welcome the report through a Presidential Statement as soon as possible.

¶3. (C) SYG Ban also presented to Ambassador Khalilzad a draft letter he intended to send to Sudanese President Bashir on May 24. The letter stressed that the Darfur peace process would not progress without the full cooperation of the Sudanese Government. The letter outlined four key areas for action by Khartoum and by non-signatory movements. These areas were: first, respect for the cease-fire; second, disarmament of the janjaweed; third, support for strengthened peacekeeping in Darfur, including implementation of the Light Support Package, the Heavy Support Package and the hybrid operation; and fourth, implementation of the March 28 communique on the facilitation of humanitarian activities in Darfur.

¶4. (C) Ambassador Khalilzad thanked the SYG for his efforts and informed him of the USG intention to announce on May 24 unilateral sanctions against three individuals and 30 entities in response to Sudanese lack of cooperation with international demands and to heightened U.S. domestic pressure. SYG Ban acknowledged that the threat of sanctions was effective but warned that the imposition thereof might complicate the ongoing peace process. He said that while he did not want to be criticized as "siding with the Sudanese," (adding that not even former SYG Kofi Annan had been so forthright with President Bashir), the Sudanese Government had in fact "shown some flexibility" on the hybrid, as seen in Bashir's promise to Ban during a "secret" meeting in Doha last month that he would cooperate on this issue. Ban was concerned that the credibility he had worked to achieve with Bashir would be jeopardized if USG sanctions were imposed before the hybrid report and his letter to Bashir were sent to Khartoum on May 24.

¶5. (C) Ban further argued that Konare had spoken against Sudan sanctions during his May 22 conversation with the SYG, which had resulted in Konare's acceptance of the draft hybrid report. Konare had warned that sanctions would have a negative impact on the situation and would not enjoy the endorsement of any African country. For these reasons, Ban

appealed to Ambassador Khalilzad for "some more time" before moving forward on sanctions against Sudan.

¶6. (C) Ambassador Khalilzad assured Ban that he would circulate the hybrid report to Council Members the evening of May 23. He also promised the SYG that he would convey Ban's concerns about sanctions to Washington. Recommendation: In light of SYG Ban's appeal, USUN recommends that Washington consider postponing the announcement of unilateral sanctions against Sudan until the hybrid report and SYG letter to Bashir are transmitted to Khartoum on May 24. To impose unilateral sanctions at this point would not only be at odds with the SYG's course of action, but would also jeopardize any chance for adoption in the coming days of a draft Security Council resolution imposing multilateral sanctions against Sudan.
KHALILZAD